



Civil Society Coalition Against Torture and Impunity in Tajikistan

**Implementation of Standards of Istanbul Protocol
(coordinated by PO “Human Rights Center”)**

Dushanbe, 2021

Guidelines for Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)

- developed by 75 legal, public health and human rights experts.
- adopted by Resolution of the UN General Assembly 55/89 (2000), and the UN Commission on Human Rights (56 session, 2000).

Basic Principles

- multidisciplinary investigation and detailed, meticulous documentation
- simultaneous and coordinated participation in investigation of medical, psychiatric, legal and other components
- provision of multi-factor study of extreme cases and drawing a three-dimensional picture

National Experts for Implementation of IP Standards

- Istanbul Protocol's standards are implemented by Working Group of the MHSPP RT and PO "Human Rights Center"
- On October 30, 2017, by the Order of the Ministry of Health and Social Protection of Population of RT №938, a new Working Group has been founded, instead of the previous one, to implement the National Plan of Actions for fulfilling recommendations of the member states of the UN Council for Human Rights according to the Universal Periodic Review's procedure (second period) for 2017-2020, to the extent concerning the implementation of measures for promotion of Istanbul Protocol's standards in the activity of health care facilities.
- Working Group has comprised the representatives of MHSPP RT, forensic experts and a lawyer of PO "Human Rights Center".

Outcomes of Activity for 2020

IMPLEMENTATION OF ISTANBUL PROTOCOLS FOR EFFECTIVE MEDICAL INVESTIGATION AND DOCUMENTATION OF TORTURE AND CRUEL TREATMENT IN TAJIKISTAN

- From January till March 2020, there were finalized a report “On application of medical report concerning medical examination of apprehended persons in health care facilities of RT” and analytical report “On the outcomes of evaluation and assessment of the objective status of medical forensic agency of RT”, and published in the web-site of the Coalition Against Torture.

Promotion of Establishment of a Non-Governmental Expert Examination Institution

- Program experts have reviewed the statutory law enforcement practices in Kyrgyzstan, Kazakhstan, Russian Federation and Georgia, as well as national legislation for issues of establishing and functioning of governmental and non-governmental expert examination institutions.
- The review outcomes were discussed at a Round Table meeting, held on February 21, 2020, with participation of representatives of the General Prosecutor's Office, Supreme Court, Ministry of Interior, Main Directorate of Reformatory Justice, Ministry of Justice, forensic medical examination and mental health centers of MHSPP, Republican Center for Forensic and Criminalistics Expert Examination of the Ministry of Justice, forensic expert body of the Ministry of Defense, Agency for State Financial Supervision and Control of Corruption, Drug Control Agency under the President of RT, members of the Coalition Against Torture, academic community, lawyers, international organizations, and international expert Mariam Dzhishkariani.

EDUCATIONAL ACTIVITIES

- On February 18-20, 2020, there was held a 3-day training on Istanbul Protocol's standards for members and partners of the Coalition Against Torture, to train specialists for Istanbul Protocol's standards, attended by 31 persons, among which 15 from Dushanbe, 4 – from GBAO, 6 – from Khatlon Region, and 6 – from Soghd Region.
- In June 2020, together with specialists and members of the Coalition Against Torture, there was developed a mobile application and a bot in Telegram titled “I and My Rights” designed not only for potential torture victims, but also for domestic violence victims, persons living with HIV, and military servicemen.
- Mobile application was downloaded in playmarket service and tested for two months. In September 2020, mobile application and bot in Telegram titled “I and My Rights” was launched to the full extent.
- In order to inform population about mobile application and bot in Telegram, in September 2020, there was designed information graphics “Safeguards for the health protection of an apprehended person in Temporary Detention Facility (TDF) and Pre-Trial Detention Facility (PTDF)” in Russian language, which included a QR-Code for mobile application and bot in Telegram.

Fee-for-Service Fund for Provision of Legal Assistance

- Payment for services of lawyer who provides legal assistance to potential torture victims and/or their relatives;
- Transport and daily allowances, when outreach lawyer's services are needed to protect torture victims;
- Expenses related to provision of medical care to torture victims or eye-witnesses: purchase of drugs/medications, payment for emergency operations, provision of psychological aid to/rehabilitation of torture victims;
- Expenses for attraction of specialists to carry out expert examination, with damage assessment;
- Expenses to pay for other interventions aimed at provision of protection to torture victims and/or their relatives, lawyers and eye-witnesses (temporary apartment lease, meal options, transport costs for temporary residence, purchase of SIM-card, Internet, etc.).

Training for Psychologists to Assess Psychological After-Effects of Violence

On 8-9 December, 2020, in Dushanbe, for 12 psychologists – partners of the Coalition, there was held a training for issues of assessing psychological implications of violence and drawing conclusions in accordance with Istanbul Protocol's standards. Training was also timed to coincide with international campaign “16 Days of Actions against Gender Violence” and information campaign “I and My Rights”, and which was held in collaboration with the UN Women in Tajikistan.

Expert, acute-care consulting physician, K. Mansurov, and a lawyer, provided expert assistance to address 3 applications of the Coalition concerning torture and cruel treatment, as well as 1 case of military serviceman and 1 case of sexual abuse of underage person; in particular, there were reviewed medical documents (conclusions of forensic medical expert examination, patient's charts, etc.), with lawyers assisted in making petitions for commissioning forensic medical examinations.

Provision of Information to the Public

Information graphics was printed out, edition of 760 copies, to be placed in health care facilities of the country.

Late 2020, in the Republican Health Care Facility “Istiqlol”, there were disseminated 137 copies of information graphics, in Health Facility № 2 (Medgorodok) in Dushanbe – 36 copies. In other health facilities (reception ward, injury care centers/emergency departments, forensic medical examination centers) of districts and cities, together with MHSPP of RT, it is planned to place information graphics on mobile application and bot in Telegram, in an edition of 760 copies.

Provision of Information to the Public on the campaign “16 Days of Actions against Gender Violence” and information campaign “I and My Rights”, with consideration for protection facilities and medical documentation in accordance with Istanbul Protocol’s standards

- There were published information graphics and time-schedules to the number of 100 and 60 pieces respectively.
- There were held 3 online webinars covering 71 participants, particularly for women and girls (26); for PLHIV (18), online quiz programs (27) for the youth on legal protection facilities and damage assessment in accordance with Istanbul Protocol’s standards.
- There was written an analytical article in mass media under “16 Days of Actions against Gender Violence”.
- All information materials were published in social networks of the Human Rights Center and in the web-site of the organization. Besides, information graphics and time-schedules were disseminated by employees of the Human Rights Center in various cities and districts. In every place, where HRC had activities, from December 1 through 7, employees disseminated these materials among population and expert community.

Lobbying.

Prison Healthcare Reform

- PO “Human Rights Center”, in collaboration with the Main Directorate for Reformatory Justice of MJ of RT, arranged a working meeting from August 10 through 16, in the health resort “Sarob” of Varzob District, to develop a Plan of Actions to the Strategy for reforming the penitentiary system of the Republic of Tajikistan for up to 2030, which was approved by Resolution of the Government of the Republic of Tajikistan №385, as of June 25, 2020.
- Attended: representatives of MJ, MDRJ of MJ, Ministry of Labor and Employment of Population, MHSPP, Ministry of Education, General Prosecutor’s Office, Ministry of Finance, National Legislation Center under the President of RT, Human Rights Ombudsman’s Office, Public Foundation “Legal Initiative”.
- In the course of the working meeting, with regard to the prison healthcare, together with PO “Human Rights Center”, there were prepared some proposals to the Chapter “Health Care”, which were included in the Plan of Actions to the Strategy.
- Outcomes of the working meeting were published in the web-site of the organization: hrctj.org 4. A press-release was also placed by EU officers on their page in Facebook.
- In October 2020, a preliminary version of the Plan of Actions was approved by the Minister of Justice.
- Plan of Actions was translated from Tajik to Russian language.

Lobbying.

Prison Healthcare Reform

- Late December 2020, as requested by MDRJ of MJ of RT, acute-care consultant prepared an analytical justification upon those recommendations that had been included in a draft Plan of Actions for implementation of the reform Strategy, in particular, concerning issues of the Institution for non-punitive measures, forced treatment and feeding.
- Currently, a draft Plan of Actions is under consideration of the Government of RT.
- At the end of 2020, there were developed and submitted to the Ministry of Justice recommendations for Plan of Actions to a draft National Strategy for human rights protection for up to 2030, in particular, there were given recommendations with regard to introduction of Istanbul Protocol's standards in the activity of investigative authorities, as well as penitentiary system.
- From March till December 2020, national consultants and international experts developed a Conceptual Framework of rehabilitation program, risk assessment system and classification of sentenced persons.
- There have been developed key principles of holistic rehabilitation for prison programs, as well as added country-specific recommendations for Tajikistan.
- From November 16 through 20, 2020, in health resort "Saturn" situated in Gissar, there was held a meeting of Working Group to discuss a draft Conceptual Framework of integrated rehabilitation program for sentenced persons.

Participation at International Level

- From 2019-2020, there has been engaged Coordinator for implementation of Istanbul Protocol's standards, P.N. Navruzova, while reviewing and developing the current Istanbul Protocol's text, under the guidance of the International Organization "Physicians for Human Rights" and the UN Committee Against Torture.
- Currently, a draft Istanbul Protocol is at the stage of consideration and adoption in the Office of the United Nations High Commissioner for Human Rights.

National Partners:

- Human Rights Division under the Executive Office of the President;
- Ministry of Health and Social Protection of Population of RT;
- Main Directorate for Reformatory Justice of the Ministry of Justice of RT;
- Central Forensic Medical Examination Laboratory of the Ministry of Defense of RT;
- Supreme Court of RT;
- Training Center for Judges under the Supreme Court of RT;
- General Prosecutor's Office;
- Committee for Religion Affairs under the Government of RT;
- Human Rights Ombudsman;
- Coalition Against Torture in Tajikistan;
- Partner lawyers of the Coalition.

International Partners:

- Open Society Institute – Assistance Foundation in Tajikistan;
- European Union;
- Helsinki Foundation for Human Rights;
- International Organization “Physicians for Human Rights”;
- Ministry of Foreign Affairs of Finland;
- UNDP;
- OSCE;
- Embassy of the USA;
- UN Women;
- Rehabilitation Center for Torture Victims “Empathy”, Georgia;
- International Rehabilitation Center for Torture Victims (IRCT)



Round-the-clock operating hot-line telephones:

For Khatlon Region – 98 787 66 66

For Soghd Region – 98 787 33 33

For RRS and City of Dushanbe – 98 708 76 76

The Coalition's web-site: notorturetj.org